



PUBLIC NOTICE

Federal Communications Commission
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DA 19-86
February 14, 2019

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL
OF EATELCORP, L.L.C. TO
RESERVE COMMUNICATIONS AND COMPUTER CORPORATION**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 19-8

Comments Due: February 28, 2019
Reply Comments Due: March 7, 2019

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on an application filed by EATELCORP, L.L.C. (EATEL) and Reserve Communications and Computer Corporation (Reserve) (collectively, Applicants), pursuant to section 214 of the Communications Act of 1934, as amended, and sections 63.03-04 of the Commission's rules, requesting consent for the transfer of control of EATEL to Reserve.¹

EATEL a Louisiana limited liability holding company, together with its operating subsidiaries (the EATEL Companies), each Louisiana entities, which include both rural incumbent local exchange carriers (LECs) and competitive LECs, provide service to approximately 13,530 incumbent LEC customers and 808 competitive LEC customers in southeast Louisiana, including portions of the parishes of Ascension, Jefferson, Lafourche, and Livingston.²

Reserve wholly owns Reserve Telephone Company, Inc. (Reserve Telephone), a Louisiana corporation, providing incumbent LEC services to approximately 2,036 customers in Garyville, Mount Airy, and Reserve, Louisiana. Reserve also wholly owns Reserve Long Distance Company, Inc. (Reserve LD), also a Louisiana corporation, providing competitive LEC services to

¹ See 47 U.S.C. § 214; 47 CFR §§ 63.03-04. Applicants also filed applications for the transfer of authorizations associated with international and wireless services. Applicants filed supplements to their domestic section 214 application on February 5, 2019, February 8, 2019, and February 11, 2019. Any action on the domestic section 214 applications is without prejudice to Commission action on other related, pending applications.

² The EATEL Companies providing incumbent LEC services are: (1) East Ascension Telephone Company, L.L.C. and (2) Lafourche Telephone Company, L.L.C. The EATEL Companies providing competitive LEC and interexchange services are: (1) Advanced Tel, LLC; (2) SJS, L.L.C.; and (3) TLX Communications, Inc.

approximately 3,346 local exchange customers in Laplace, the northern portion of Lafourche Parish, and the St. James Parish, Louisiana. Reserve LD also serves as an interexchange carrier for its own customers as well as Reserve Telephone's customers. Reserve is a wholly owned subsidiary of RTC Interco, L.L.C., which, in turn, is wholly owned by RTC Holdings, L.L.C. (RTC Holdings), each Louisiana limited liability holding companies. Applicants state that the following Louisiana investment trusts hold a 10 percent or greater interest in RTC Holdings: Jennifer and Sean Reilly Family, LLC (44.44 percent); Ninemile, L.L.C. (28.59 percent); and Reilly Family Limited Partnership (11.11 percent).³

Pursuant to the terms of the proposed transaction, Reserve will acquire all of the outstanding equity interests in EATEL. Applicants state that RTC MergeCo L.L.C., a wholly owned subsidiary of Reserve formed for the purposes of this transaction, will merge with and into EATEL whereupon EATEL will be the surviving corporation. EATEL will thereafter be a wholly owned subsidiary of Reserve. Applicants further state that although the operating subsidiaries of EATEL and Reserve serve neighboring rural markets in southern Louisiana, there are no overlapping or adjacent incumbent LEC service areas.⁴ Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(iii) of the Commission's rules and that a grant of the application will serve the public interest, convenience, and necessity.⁵

Domestic Section 214 Application Filed for the Transfer of Control of
EATELCORP, L.L.C. to Reserve Communications and Computer Corporation,
WC Docket No. 19-8 (filed Jan. 28, 2019).

GENERAL INFORMATION

The transfer of control identified herein has been found, upon initial review, to be acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 CFR § 63.03(a), interested parties may file comments **on or before February 28, 2019**, and reply comments **on or before March 7, 2019**. Pursuant to section 63.52 of the Commission's rules, 47 CFR § 63.52, commenters must serve a copy of comments on the Applicants no later than the above comment filing date. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.

Pursuant to section 63.03 of the Commission's rules, 47 CFR § 63.03, parties to this proceeding should file any documents using the Commission's Electronic Comment Filing System (ECFS): <http://apps.fcc.gov/ecfs/>.

In addition, e-mail one copy of each pleading to each of the following:

³ The beneficial owners of these Louisiana investment trusts are all members of the Reilly family, each U.S. citizens. Applicants further state that none of these entities, or individuals holding an interest in these entities, hold a 10 percent or greater interest in any other domestic telecommunications provider.

⁴ Applicants state that there are *de minimis* overlapping competitive LEC service areas between the operating subsidiaries of EATEL and Reserve.

⁵ 47 CFR § 63.03(b)(2)(iii).

- 1) Myrva Charles, Competition Policy Division, Wireline Competition Bureau, myrva.charles@fcc.gov;
- 2) Gregory Kwan, Competition Policy Division, Wireline Competition Bureau, gregory.kwan@fcc.gov;
- 3) David Krech, International Bureau; david.krech@fcc.gov;
- 4) Sumita Mukhoty, International Bureau; sumita.mukhoty@fcc.gov; and
- 5) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), 1-888-835-5322 (tty).

The proceeding in this Notice shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules. Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b), 47 CFR § 1.1206(b). Participants in this proceeding should familiarize themselves with the Commission’s *ex parte* rules.

For further information, please contact Myrva Charles at (202) 418-1506 or Gregory Kwan at (202) 418-1191.

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